

UNITED STATES DISTRICT COURT

for the

EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	Case No.: CR-21-138-RAW
Plaintiff,)	
v.)	Date: 03/16/2023
)	
DEVIN WARREN SIZEMORE)	Time: 8:59 a.m. – 9:25 a.m.
Defendant.)	

MINUTE SHEET – CRIMINAL PRETRIAL CONFERENCE

Ronald A. White, Judge T. Stephens, Deputy Clerk J. Smith, Court Reporter
Courtroom 2 - Room 224

Counsel for Plaintiff: Lisa Man and Gerald Collins, U.S. Department of Justice

Counsel for Defendant: Lisa Peebles, Asst. Federal Public Defender, w/ Defendant

Minutes:

Comes on for Criminal Pretrial Conference. Court inquired if case was ready for trial and if discovery was complete. Counsel responded they are ready for trial and that discovery is complete. Court inquired regarding Stipulations and pre-admission of exhibits. Government advised of 4 Stipulations and Counsel advised they would meet immediately regarding exhibits. Discussion regarding audio/video media. Government made oral withdrawal of Ayers and Williams. Defendant advised they will not object to the body cam. Parties consented to Magistrate Judge conducting jury selection submitted an executed consent form and Court accepted. Court advised it would allow 30 minutes each for opening statements. Court confirmed with Government that they anticipate 7-8 days needed for trial. Discussion regarding Defendant's request that their expert be allowed to testify by video. Court granted the request. Court inquired if there are any outstanding 404b issues. Counsel advised that there are none. Discussion regarding expert witnesses. Counsel advised that there are no objections to the qualifications. Government advised that they will be objecting to the opinions. Discussion regarding disclosures. Court directed Government to file their *Daubert* Motions by 3/17/2023 and directed Defendant to file his Response due by 3/22/2023. Defense Counsel advised that there are no problems with the Government's expert qualifications or opinions. Counsel advised that there are no other outstanding evidentiary concerns. Discussion regarding bench conferences. Discussion regarding exhibits, rolling video transcripts and technology. Court advised that this case is set for Jury Selection on 4/3/2023 at 9:00 a.m. with the Jury Trial to begin on 4/3/2023 at 1:00 p.m. Court instructed Defense Counsel to provide USMS with appropriate clothing for defendant for trial. Discussion regarding Defendant's Proposed Jury Questionnaire. Nothing further.

Court adjourned.